



Serial No. 09/366,935

Docket No: YAMAP0398USB

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64. (New) An apparatus according to claim 50, wherein the resin which is absorbed is excess resin.

### REMARKS

The present Reply is fully responsive to the Office Action dated January 30, 2001. Upon entry of the present amendment, claims 50 and 57-64 are pending in the present application. Claim 50 is amended, and new claims 57-64 are added herein. The presently pending claims as submitted herein are believed to be allowable over the prior art and the cited reference as set forth in the following. Reconsideration and withdrawal of the previous rejections of the claims are respectfully requested, in view of the following.

### Applicants' Invention

Applicants' invention provides, in the presently claimed embodiment, an apparatus for fabricating an optical information medium by bonding together a first substrate having a center hole and a second substrate having a center hole with a radiation curable resin which is interposed between the first and second substrates. The claimed apparatus includes a table for integrally rotating the first and second substrates, with the radiation curable resin, before the radiation curable resin is cured. The apparatus further includes a centrally disposed means for absorbing, through the center holes of the first and second substrates, any excess radiation curable resin interposed between the first and second substrates. Thus, the apparatus makes possible the advantage of providing a thin optical information medium with good appearance and high mechanical strength without protrusion of a radiation curable resin into a center hole of the medium. By absorbing the resin through the center hole of the optical disk, it is ensured that the resin remains in the clamp region of the disk during the high speed rotation, allowing the resin to spread uniformly. In addition, since excess resin which may protrude into the

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center hole of the optical disk is pumped away and removed via the centrally disposed suction ports, the resultant optical disk has a good appearance.


**Rejection of the Claims under 35 U.S.C. §103(a)**

Claim 50 stands rejected as anticipated by Hayashi, U.S. Patent No. 4,995,799. Applicants respectfully traverse this rejection, and request reconsideration and withdrawal thereof for the following reasons.

As pointed out by the Examiner, Hayashi discloses an apparatus having a rotary table and means 32 (a suction nozzle) for absorbing resin between layer 15 and substrate 29. As shown in Fig. 4 of Hayashi, the suction nozzle 32 is not centrally disposed, but is instead at a radially outward position, away from the center. In Hayashi, the center is occupied by a center boss 20 which does not include any means for removing excess resin.

In order to clarify the distinctions between the invention claimed in claim 50 and the structure of Hayashi, and to advance the prosecution of this application, claim 50 has been amended as shown above. Claim 50 as amended distinctly points out the relationships between the parts of the present optical information medium. Amended claim 50 clarifies that the apparatus includes centrally disposed means for absorbing through the center holes of the first and second substrates the radiation curable resin interposed between the first and second substrates. This is in contrast to Hayashi, in which the suction nozzle 32, provided to remove excess resin, is not centrally disposed, as shown in Fig. 4 of Hayashi. As shown in Fig. 4 of Hayashi, the suction nozzle 32 is not centrally disposed, but is instead placed at a radially outward position, away from the center, which is occupied by a center boss 20.

Furthermore, in contrast to the Examiner's assertion, the suction nozzle 32 of Hayashi is not positioned inside (i.e., radially inside) the center hole of the optical



disk substrate 29. As shown in Fig. 4, the center opening of the optical disk substrate 29 is in contact with the chuck 26, at a position which is radially inwardly disposed relative to the position of the suction nozzle 32.

Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of Applicants' claim 50 as anticipated by Hayashi. In addition, Applicants respectfully submit that for the same reasons, Applicants' claim 50 and new claims 57-64 would not have been obvious over Hayashi. Thus, Applicants respectfully submit that the claims patentably distinguish over the art of record, and are in condition for allowance.

**Rejection under 35 U.S.C. 112, Second Paragraph**

Claim 50 stands rejected as indefinite, in two instances. First, the Examiner stated that in line 8, it is unclear what "cured interposed therebetween" means. Second, the Examiner stated that in line 11, the scope of "through the center holes of the first and second substrates" is unclear. Applicants thank the Examiner for the helpful suggestions for correcting the asserted instances of indefiniteness. The amendment of claim 50 as submitted herein is believed to address and correct both of the asserted instances of indefiniteness in claim 50. Appropriate reconsideration of the indefiniteness rejection is respectfully requested.

**Objection to Specification**

The Examiner objected to the specification for lack of a reference to the parent applications. The Examiner is respectfully requested to refer to Applicants' application transmittal papers, wherein at paragraph 6 (top of page 3) Applicants requested the specification be amended by inserting a reference to the parent applications. However, in order to facilitate optical scanning of this amendment by the Office, and to update the reference to the parent to include its patent number, Applicants submit the above amendment of the specification.

Conclusion


For at least the foregoing reasons, Applicants respectfully submit that the claims patentably distinguish over the art of record. In addition, Applicants respectfully submit that there is no indefiniteness in the claims. Accordingly, Applicants respectfully submit that the application is now in condition for allowance and request that a Notice of Allowance be issued.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

In the event any additional fees are required in connection with the filing of this petition, the Commissioner is authorized to charge those fees to deposit account #18-0988, docket number YAMAP0398USB.

Respectfully submitted,

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Appendix

The version of claim 50 shown above has been amended as follows:

50. (Amended) An apparatus for fabricating an optical information medium by bonding together a first substrate having a center hole and a second substrate having a center hole with a radiation curable resin interposed therebetween, comprising:

a table for integrally rotating the first and second substrates, with the radiation curable resin [**before being cured**] interposed therebetween, before the radiation curable resin is cured; and

centrally disposed means for absorbing through the center holes of the first and second substrates the radiation curable resin interposed between the first and second substrates [**through the center holes of the first and second substrates**].

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